

FILED

THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

JUN 11 2008 TG

6-11-2008

MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

ACE MOTORS INC,
an Illinois corporation,
Plaintiff,

Case No. 2008-CV-1552

Markovich

vs.

TOTAL TRANSPORT INC,
an Illinois corporation,
Defendant,

HON. MARKOVICH

MAGISTRATE JUDGE SCHENKIER

PARTIES JOINT RULE 26(f) REPORT

Pursuant to the Order of the court, dated May 20th, 2008, the parties to the above entitled action, submit their joint rule 26(f) report.

1. This action arises under the Carmack Amendment, 49 U.S.C. § 11707 and 49 U.S.C. § 14706. The above-named Plaintiff seek, among other relief, to recover actual, general, special, incidental and consequential damages \$202,420.00 from all the above-named defendants for property damage, delay, loss of time and business opportunity, loss of business in the sum of \$57,000 and injury to shipments of nine (9) vehicles in the sum to be proved at trial. Pursuant to the Carmack Amendment, 49 U.S.C. § 11706 and 49 U.S.C. § 11707 the above-named

Plaintiff seeks to recover all legally cognizable damages, sustained as a direct and proximate cause of the defendants' failure to deliver nine (9) vehicles in accordance with duly issued bills of lading; as well as the costs of this suit with interest. Pursuant to 49 U.S.C.A. §11707(b) the above-named Plaintiff also seeks an award of reasonable attorneys fees and costs.

2. Plaintiff contemplates taking depositions upon oral examination of all witnesses named in the Rule 26(a)(1) Initial Disclosures which will be furnished by all parties. Plaintiff also contemplates serving interrogatories on all defendants. Plaintiff expects that the time required to complete his discovery is 180 days.

3. Defendant contemplates taking depositions upon oral examination of all witnesses named in the Rule 26(a)(1) Initial Disclosures which will be furnished by all parties. Defendant also contemplates serving interrogatories on the Plaintiff. Defendant expects that the time required to complete his discovery is 180 days.

4. Plaintiff contemplates that the estimated time to complete discovery is 180 days.

5. Plaintiff contemplates filing of motion for default judgment within 60 days upon filing of this report.

6. Within ninety (90) days upon completion of

discovery, the Plaintiff contemplates filing a motion for summary judgment, as well as a motion for award of reasonable attorneys fees pursuant to 49 U.S.C.A. §11707(b).

7. The defendant does not contemplates filing a motion to Dismiss within 60 days of the filing of the report.

8. Parties estimate the trial length to be at 4 to 5 days.

9. The plaintiff has requested a jury trial.

10. Plaintiff does not object to mediation.

11. The parties certify to the court that they met telephonically on June 5, 2008, and have conferred regarding each of the matters set forth in the Order of the court, dated June 23rd, 2006.

12. Proposed discovery plan.

Plaintiff shall complete his discovery within 180 days after June 17, 2008.

Defendants shall complete their discovery within 180 days after June 17, 2008.

Dated this 6th day of June, 2008.

GOROKHOVSKY LAW OFFICE, LLC
Counsel for Plaintiff

By: /s/ Vladimir M. Gorokhovsky, LL.M.

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Dated this ^{rh} 11 day of June, 2008.

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Counsel for Defendants

By: /s/ Michael Kuzel, Esq

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